

UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/785,027
Applicant : Robert A. Elick et al.
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Art Unit : 1746
Examiner : Joseph L. Perrin
Docket No. : ELI007-237 / IP-00415-2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Applicants respectfully traverse the Examiner's Statement of Reasons for Allowance issued concurrently with the Notice of Allowance on April 3, 2007. Applicants respectfully submit that the Examiner has not accurately described the features of Applicants' independent claims when characterizing Applicants' invention.

Specifically, independent claim 1 recites a dishwasher including a tub having bottom, opposing side, rear and top walls which collectively define a washing chamber adapted to receive and cleanse soiled kitchenware by spraying washing fluid onto the kitchenware from at least one wash arm, a pump and filtration assembly comprising: a housing mounted at an opening provided in the bottom wall of the tub, said housing including a first plate portion sealed to the bottom wall about the opening, a second plate portion and a cap portion, said first and second plate portions being spaced to define an intake chamber of the housing, said second plate portion and said cap portion being spaced to define a pumping chamber of the housing; at least one drive member extending through each of the first and second plate portions; a chopper blade disposed in the intake

chamber and drivingly connected to the at least one drive member; an apertured plate positioned between the washing chamber and the pumping chamber adjacent the chopper blade; a pumping unit arranged in the pumping chamber, said pumping unit including an impeller drivingly connected to the at least one drive member for directing washing fluid to the wash arm; a conduit leading from the housing and fluidly interconnecting the pumping chamber with the wash arm; a sampling port fluidly connected to the conduit for sampling a portion of the washing fluid being delivered to the at least one wash arm; a filter chamber connected to the conduit for receiving the portion of the washing fluid flowing through the sampling port, said filter chamber including at least one enlarged opening provided with a fine mesh filtering screen for entrapping soil from the washing fluid in the filter chamber, while permitting cleansed washing fluid to be directed back into the washing chamber; a drain passage positioned below the sampling port in the filter chamber; and a sealing member arranged below the sampling port at the drain passage, said sealing member being acted upon by the portion of the washing fluid flowing through the sampling port to close off the drain passage during a wash portion of a washing operation, and opening the drain passage during a drain portion of the washing operation.

Independent claim 2 recites a dishwasher including a tub having bottom, opposing side, rear and top walls which collectively define a washing chamber adapted to receive and cleanse soiled kitchenware by spraying washing fluid onto the kitchenware from at least one wash arm, a pump and filtration assembly comprising: a housing mounted at an opening provided in the bottom wall of the tub, said housing including an intake chamber and a pumping chamber; a conduit leading from the housing and fluidly interconnecting the pumping chamber with the wash arm; a sampling port fluidly connected to the conduit for sampling a portion of the washing fluid being delivered to the at least one wash arm; a filter chamber connected to the conduit for receiving the portion of the washing fluid flowing through the sampling port; a drain passage positioned below the sampling port in the filter chamber; and a sealing member arranged below the sampling port at the drain passage, said sealing member being acted upon by the portion of the washing fluid flowing through the sampling port to close off the drain passage during a

wash portion of a washing operation, and opening the drain passage during a drain portion of the washing operation.

Independent claim 11 recites a dishwasher including a tub having bottom, opposing side, rear and top walls which collectively define a washing chamber adapted to receive and cleanse soiled kitchenware by spraying washing fluid onto the kitchenware from at least one wash arm, a pump and filtration assembly comprising: a housing mounted at an opening provided in the bottom wall of the tub, said housing including an intake chamber and a pumping chamber; a conduit leading from the housing and fluidly interconnecting the pumping chamber with the wash arm; a sampling port fluidly connected to the conduit for sampling a portion of the washing fluid being delivered to the at least one wash arm; a filter chamber connected to the conduit for receiving the portion of the washing fluid flowing through the sampling port; a drain passage positioned below the sampling port in the filter chamber; and means for sealing the drain passage during select portions of a washing operation.

To avoid confusion and to clearly identify the different combinations of the features of Applicants' invention which has been allowed by the Examiner, Applicants respectfully suggest that Applicants' invention be defined as being allowable over the prior art of record as the prior art of record does not disclose or suggest the various combinations of elements set forth separately in independent claims 1, 2 and 11.

Respectfully submitted,

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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/Deborah A. Tomaszewski/

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Date: July 03, 2007

Deborah A. Tomaszewski

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